

SENATE BILL 3557

By Ford

AN ACT to amend Tennessee Code Annotated, Title 4;
Title 5; Title 6; Title 7; Title 8; Title 40, Chapter 7
and Title 41, relative to prison inmates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1 Tennessee Code Annotated, Title 41, Chapter 21, Part 2, is amended by adding the following language as a new appropriately designated section:

41-21-2__.

(a) Correctional authorities shall be permitted to impose a range of disciplinary sanctions to maintain order and ensure the safe custody of prisoners. Correctional authorities shall be permitted to use restraint mechanisms such as handcuffs, leg irons, restraint chairs, and spit-masks to control a prisoner who presents an immediate risk of self-injury or injury to others, to prevent serious property damage, for health care purposes, or when necessary as a security precaution during transfer or transport. When restraints are necessary, correctional authorities should use the least restrictive forms of restraints that are appropriate and should use them only as long as the need exists, not for a pre-determined period of time.

(b) Pursuant to subsection (a), restraint mechanisms such as spit-masks shall not restrain a prisoner in any manner that causes unnecessary physical pain or extreme discomfort, or that restricts the prisoner's blood circulation or obstructs the prisoner's breathing or airways. Spit-masks shall be limited in scope to the area of the mouth and shall not be placed over a prisoner's head.

SECTION 2. The department of correction is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.